

## 48A C.J.S. Judges § 196

Corpus Juris Secundum | August 2023 Update

### Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

### VII. Compensation and Fees

#### B. Amount

##### 1. General Considerations

## § 196. Adequacy of judicial salaries

[Topic Summary](#) | [References](#) | [Correlation Table](#)

### West's Key Number Digest

West's Key Number Digest, [Judges](#)  22(5)

**It is the constitutional obligation of the legislature to provide compensation adequate in amount and commensurate with judicial responsibilities.**

It is the constitutional obligation of the legislature to provide compensation adequate in amount and commensurate with judicial responsibilities.<sup>1</sup> Adequate means sufficient to provide judges with a level of remuneration proportionate to their learning, experience, and the elevated position they occupy in society.<sup>2</sup> Inherent in this definition is the increasingly costly obligations of judges to their spouses and families, to the rearing and education of their children, and to the expectation of a decent, dignified life upon departure from the bench.<sup>3</sup>

However, to obtain judicial relief on the ground of constitutionally inadequate salaries for judges, judges must show not just that their compensation is inadequate to meet their personal needs as compared to compensation of most judges but also that it is inadequate because it impairs the proper functioning of the judicial system.<sup>4</sup>

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### Footnotes

<sup>1</sup> Pa.—*Goodheart v. Thornburgh*, 118 Pa. Commw. 75, 545 A.2d 399 (1988), order aff'd, 521 Pa. 316, 555 A.2d 1210 (1989), on reconsideration, 523 Pa. 188, 565 A.2d 757 (1989).

- 2 Pa.—*Goodheart v. Thornburgh*, 118 Pa. Commw. 75, 545 A.2d 399 (1988), order aff'd, 521 Pa. 316, 555 A.2d 1210 (1989), on reconsideration, 523 Pa. 188, 565 A.2d 757 (1989).
- 3 Pa.—*Goodheart v. Thornburgh*, 118 Pa. Commw. 75, 545 A.2d 399 (1988), order aff'd, 521 Pa. 316, 555 A.2d 1210 (1989), on reconsideration, 523 Pa. 188, 565 A.2d 757 (1989).
- 4 Pa.—*Kremer v. Barbieri*, 48 Pa. Commw. 557, 411 A.2d 558 (1980), order aff'd, 490 Pa. 444, 417 A.2d 121 (1980).

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